

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Leamon Bradley Todd,)	
)	C/A No. 3:08-3644-MBS
Plaintiff,)	
)	
vs.)	O R D E R
)	
President of Venus Enterprises,)	
)	
Defendant.)	
_____)	

Plaintiff Leamon Bradley Todd is a resident of Emerald Residential Care in Bishopville, South Carolina, a facility providing assisted living for persons with mental illness. Plaintiff, proceeding pro se, filed the within complaint on October 31, 2008, alleging as follows:

I wish to sue the President of Venus Enterprises, for copyright infringement.

Please check with U.S. Copyright Office for copyrights for Venus Enterprises @ 88, under pseudonym, Leamon Pierre.

I don't know how much to ask, as I'm no attorney, nor know what it [is] worth.

I have the right to a speedy trial.

I'm allowed a maximum of \$2,000.00, here at Emerald, my family will take care of the rest.

I've sued Venus Enterprises, before; in U.S. District Ct, Columbia. I had forgotten my copyrights, under Leamon Pierre. Thought they [were] under Bradley Todd.

10/25/08 (/s/) Leamon Bradley Todd

I no longer think it CIA & NASA.

Entry 1, 3-5.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Bristow Marchant for pretrial handling. The Magistrate Judge reviewed the complaint pursuant to 28 U.S.C. § 1915. On November 14, 2008, the Magistrate Judge

issued a Report and Recommendation in which he recommended that the within action be summarily dismissed. Plaintiff filed no objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report and Recommendation to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has carefully reviewed the record and concurs in the recommendation of the Magistrate Judge. The court adopts the Report and Recommendation and incorporates it herein by reference. The complaint is dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

Columbia, South Carolina

December 19, 2008

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.